

mo350002
cc: Beth
susan

From: Emily Berry
To: Beth Ericksen; Dana Dean; Emily Berry; Kaiserc@Kennecott.com; Penny Berry; Susan White; Tom Munson; Vickie Southwick
Date: 6/27/2008 11:50:21 AM
Subject: 6-25-08 Meeting Minutes

Attached are meeting minutes for the meeting held between Kennecott Utah Copper and Division of Oil, Gas, and Mining on June 25, 2008. Also attached is the Power Point used and the Division Policy for Defining Amendments and Revisions.

MEETING MINUTES

June 25, 2008

Natural Resources Building

Room: 3720

10:00am-12: 30 pm

In attendance for Kennecott Utah Copper (KUC): Glenn Eurick, Chris Kaiser, Kris Goss, and Cassidy Kristensen.

In attendance for Division of Oil, Gas, and Mining (DOGM): Beth Ericksen, Penny Berry, Vickie Southwick, and Emily Berry.

KUC and DOGM agreed that the goal of this meeting, as outlined on the Power Point handout page one (PP pg_), was to "generate and compile a complete and comprehensive plan. In addition, develop necessary, clear and concise submittal and filing of documents." KUC expressed that it is a high priority of KUC's that both parties work for this goal.

Beth reviewed that KUC stands alone in the dynamics of their plan. All other Mineral Mines in the State of Utah have one plan that they "amend," where KUC has three plans the 1978 Board approved Mining and Reclamation Plan, 1988 Tailings Pond Final Reclamation Plan, and the Bingham Canyon 2003 Reclamation and Water Management Plan.

- Chris clarified that the 1988 Tailings Plan refers to the South Tailings only. North Tailings were not there at that time.
- The Bingham M/035/002 mine was the focus for this meeting, plans outlined above, as well as, on PP pg3 pertain to this mine only.
- Beth brought to attention that the 2003 Reclamation and Water Management Plan is housed in the Health department building Division of Water Quality (DWQ) and that DOGM's version is a copy of theirs. Also, that "amendments"/updates to any of the plans were not included in the plan binder as should be (these papers are place as incoming in gray folders); therefore, an individual off the street looking at the plan for Bingham M/035/002 would see the 1978 plan only.
- Dan Hall at DWQ has to cc'd with anything pertaining to the 2003 plan.

A "side by side" between KUC, DOGM, and DWQ was suggested so that all three plans can be reviewed and missing information can be copied to create identical copies. Appendixes need to be gathered and reviewed at this time. DOGM will organize their files in the new format and a scheduled time will be set to conduct this matter.

KUC has all correspondences pertaining to the Bingham Canyon Mine. KUC will bring all they have to "side by side", so KUC and DOGM will have current versions for employee's and public, as well as, electronic versions. DOGM's hard and electronic files need to be set up parallel to each other. This will be accomplished by using KUC's copy to organize all files.

KUC and DOGM agreed that a re:/subject line with detailed information should be submitted. Subject line should follow PP pg11 example. This will ensure that DOGM knows what the submittal is referring to.

- The reclamation process is a major item with this. As outlined in the Contract for Bingham Canyon mine KUC will submit their Reclamation Activities proposal as MRRC-Surety. The interactive stage will be regarded as 'interactive'. KUC will present to the Division Board, and at the appropriate time Reclamation activities will be sent in regarding their specific area i.e. South Tailings, Demolition, Waste Rock, and Experimental.

DOGM suggest that KUC reference/link the Plans they have or update them so that the most current plan for Bingham Canyon is not conflicting to each other. This is also suggested so public inquires are given the most up to date information possible.

KUC has the option to "phase out" plans. This would send older versions of the plan to DOGM's record center where it can remain as long as DOMG and KUC see fit. KUC views sending 1988 Tailings Plans to Records as a positive move to create less confusion. KUC has to notify DOGM of Plans that can be sent to Records. All other Bingham Canyon papers will follow the DOGM Mineral Mines retention schedule and be sent to Records after five years on the shelf.

KUC said they would review the board-approved contract and see about making an update that would allow them to preserve their contract to the Bingham Canyon plan. A request for a general memo for definitions of DOGM terms such as: Amendment, Revision, Modification etc. was made and is attached. DOGM cannot deviate from the board-approved contract.

A review on the MR-REV form was given. When KUC submits two copies of an item each get a received stamp, then when approved each page is stamped 'Approved' and one copy is sent back. When MRREV form is used the pages being replaced are Superseded and place in an expandable, not thrown away. Sending a working copy of items to DOGM is suggested. When sending electronic working copies KUC will label as such.

It was arranged that KUC Bingham Canyon Annual Reports would be submitted with a brief narrative regarding Reclamation that a report for each category will be submitted individually as an MRRC-SURETY so progress on Reclamation can be better tracked.

DOGM and KUC agree that the cc list as outlined on PP pg12 should be followed for all submittals and emails. Others can be added to this list however Dana Dean, Susan White, and Beth Erickson will always be included. Dan Hall at DWQ will always be cc'd regarding changes to 2003 plan.

KUC will meet with Dan Hall at DWQ to arrange future submittals to DWQ.

DOGM asked that KUC note in re:/subject line how many copies are being submitted as

well as flagging each copy as outlined on PP pg 13. KUC agreed.

KUC has committed to sending an email for anything being submitted and will follow the cc list; therefore, PP pg 14 can be referenced but will be automatically implemented.

PP pg 15 will not apply. Regulations will not allow DOGM to manipulate the MRREV form. The possibility of creating a new form to be used by KUC for the Bingham Canyon M035/002 mine only will be looked into.

MRREV form will not be submitted for anything regarding the MRRC-SURETY reclamation process.

DOGM will set up Supplemental categories as air and water. These will contain information submitted by other agencies i.e. Division of Environmental Quality.

All items agreed upon will be applied immediately.

A meeting for late August will be set up to review the new procedures and move forward.

Attached is a copy of the Power Point and DOGM Policy for Defining Amendments and Revisions.

May 24, 2002

*Pls. Copy all Mineral
Staff +
Assoc. Dir.*

This policy supercedes the
May 21, 1991 policy.

DIVISION of OIL, GAS and MINING

Policy for

Defining Amendments and Revisions

Minerals Program

DISCLAIMER

"This informal and non-binding directive is intended for internal direction for the Minerals Regulatory Program to clarify the implementation of the Minerals Rules, but does not expand the scope of existing regulations. It neither confers rights nor imposes obligations on the Division or any other party. In the case where a conflict is perceived to exist between this directive and the Utah Minerals Program Rules, the rules will prevail."

The following policy provides clarification in determining whether a proposed change to a plan should be considered an amendment or a revision under rules R647-4-118 and 119. A *revision* is considered a significant change to the approval Notice of Intention or MRP and would require public notice. An *amendment* is considered to be a less significant change to the Notice of Intention. If the proposed change to the Mining and Reclamation Plan qualifies for three of the four categories discussed below then the change will be considered a *revision* and addressed under rule R647-4-118 Revisions. If the proposed change does not fall within three of the categories below, it will be considered an *amendment* and addressed under rule R647-4-119 Amendments. The determination will be based on the following categories:

1. The acreage will increase or decrease by 50% of the existing acreage or 50 acres, whichever is smaller. For example, if a 10 acre site increases or decreases by 5 acres, it would then fall within this category.
2. The surety will increase or decrease by 25% of the existing surety or \$50,000, whichever is smaller.
3. The overall additional environmental impacts are considered significant, when compared with impacts already affecting the site. The degree of change would not be negligible such that a finding for a variance from the rules must be made under R647-4-112.Variance. This determination is made after evaluating the impacts to soils, vegetation, hydrology (ground and surface), wildlife, or other environmental resources.
4. The impacts proposed in the same permit change are significant enough to warrant the need for an opportunity for public comment.

5/24/02
Effective Date of Policy

David P. Brund
Director's Signature

Policies/revisions.doc

Kennecott Plan Structure and Mechanics Outline



- **GOAL:**
To generate and compile a complete and comprehensive plan. In addition, develop necessary, clear and concise submittal and filing of documents.

June 24, 2008 by *Beth Ericksen DOGM*

Actions to Achieve

We should:

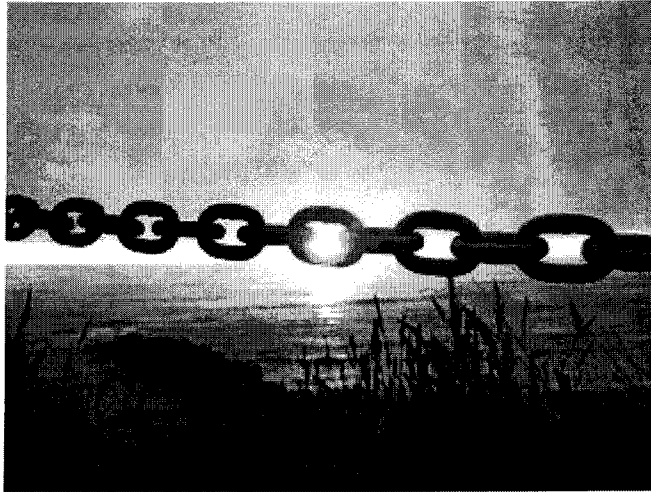
- Work with KUC
- Work with each other
- Develop ideas, implement ideas
- Be open to sharing thoughts
- Be open to change
- Understand and tolerate initial learning curve
- Have a series of meetings



- Board approved mining and reclamation plan; 2/22/1978
- Tailings Pond Final Reclamation Plan; 1988;
- Bingham Canyon Mine 2003 Reclamation and Water Management Plan; 2003;
- Supplemental: 1. Air 2. Water;
- MRRC- Surety: reclamation activities, Board presentations, end of year updates, reclamation activities inspections;
- NOV

Board Approved 78 Plan

- Provide a page link to other plans



Tailing Pond Final Reclamation Plan 1988

- Update the plan
- Link to '03 plan
- Suggestions

Bingham Canyon Mine 2003 Reclamation and Water Management Plan

- Plan with the Division must match DWQ plan
- CC: DWQ, DAN HALL on submittals
- Update the plan that is applicable to DOGM
- Determine appendices numbers and content
- Reference to Reclamation Activities
- Is 'ongoing activities' an existing appendix

Supplemental AIR WATER

The supplemental category is for submittals by other agencies and KUC that are not integral to the plan.

Supplemental will be divided into an air section and a water section.



MRRC-Surety

- The board approved reclamation contract will be located within this category

1. Interactive
2. Demolition (Kelly Payne)

NOV

- Proposal and quarterly updates
- Outline of interim actions

Formal Submittals

What's required:

Subject line reference
including the number of
submittals

- MR REV reference
- CC list
- Flagging
- Emailing

Subject line reference

Letters:

Incorporate the
structure and place in
RE: or Subject:

copy

CC list

A standard cc list will be required for all submittals.

The list may be updated periodically, and KUC will be

How to address a submittal:
Minerals Regulatory Program

Cc list:

DOGM:

Dana Dean

Beth Ericksen

Susan White

For 2003 Groundwater Plan:

In addition to DOGM cc add

DWQ:

Dan Hall

Flagging

Flagging is required
for multiple copies of
the same submittal.

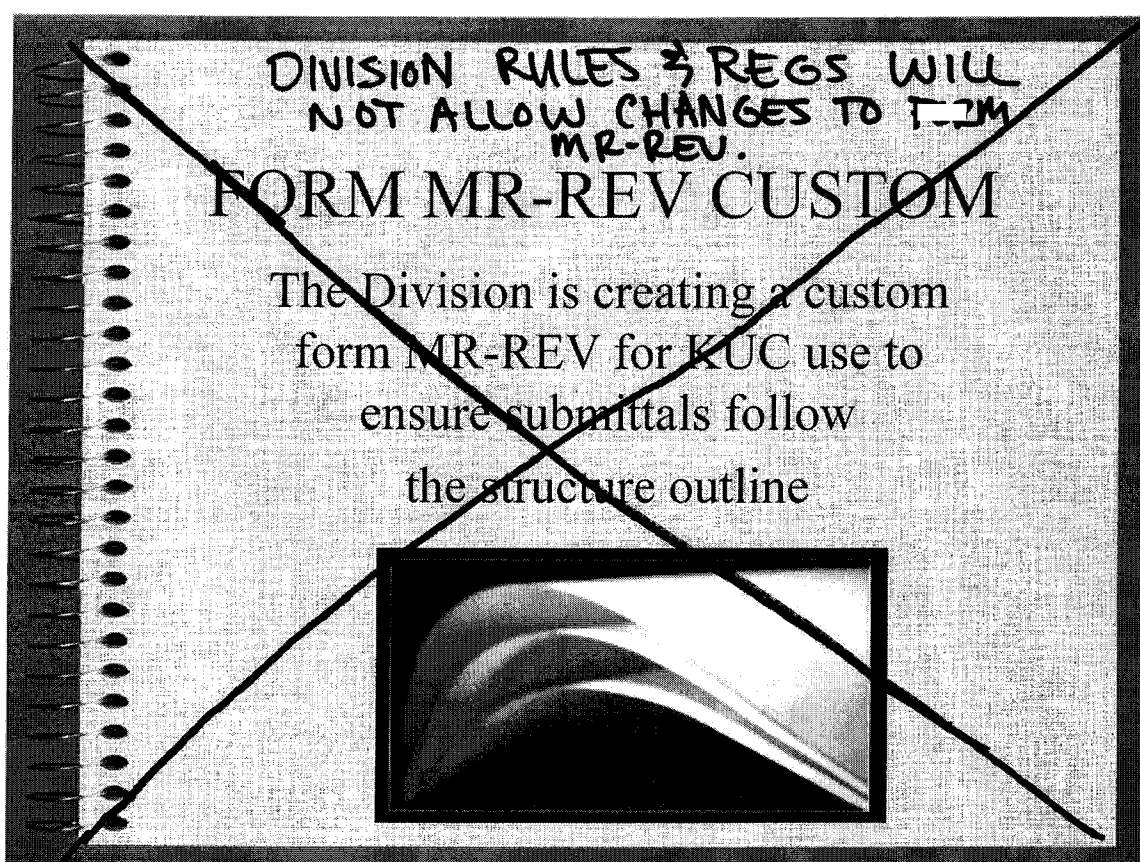
Simply insert a flag
between each set and
then submit to the
Division.

Emailing

While we work through the learning curve of this process, please email the lead, Beth Ericksen, and advise that a formal submittal is forthcoming.

Provide the expected date of the formal submittal.

Provide the title/re: of the submittal.



What's next?

A coordinated effort to do a side by side for the
2003 Groundwater Management Plan (GMP)

- Start updating the GMP
- Update the '88 Plan
Link Page for the '78 Plan
Suggestions



Don't take a breather yet
but look forward to blue skies